

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Chapter 13

Mark A. Formosa,

Case No. 17-46215

Debtor.

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Hon. Phillip J. Shefferly

**ORDER SUSTAINING IN PART AND  
DENYING IN PART OBJECTIONS TO  
MORTGAGE CREDITOR'S NOTICES OF  
POST-PETITION ATTORNEY FEES AND EXPENSES**

On January 19, 2018, the Court issued an Opinion Sustaining in Part and Denying in Part Objections to Mortgage Creditor's Notices of Post-Petition Attorney Fees and Expenses ("Opinion") (ECF No. 86). For the reasons explained in the Opinion, all of which are incorporated herein,

**IT IS HEREBY ORDERED** that the objections (ECF Nos. 53 and 56) filed by the Debtor and the United States Trustee to the notices (ECF Nos. 48 and 49) of post-petition mortgage fees, expenses and charges filed by Dearborn Federal Savings Bank ("Bank") are sustained in part and denied in part, as follows:

1. \$2,500.00 of attorney fees described in the notices are recoverable by the Bank;
2. none of the attorney fees in excess of \$2,500.00 described in the notices, and none of the expenses described in the notices, are recoverable by the Bank; and
3. none of the attorney fees and expenses described in the notices are required to be paid by the Debtor to cure a default and maintain payments under the Debtor's mortgage with the Bank under § 1322(b)(5) of the Bankruptcy Code.

**Signed on January 19, 2018**



**/s/ Phillip J. Shefferly**

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**Phillip J. Shefferly**  
**United States Bankruptcy Judge**